

**ENTERED**

March 18, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MICHAEL HAVINS,

Plaintiff,

VS.

FMC TECHNOLOGIES, INC. D/B/A  
TECHNIPFMC,

Defendant.


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CIVIL ACTION NO. 4:19-CV-0070

**ORDER**

Pending before the Court is Defendant FMC Technologies, Inc. d/b/a/ TechnipFMC's Motion for Summary Judgment. (Dkt. 45). After careful consideration of the motion, response, reply, summary judgment record, and applicable case law, the motion for summary judgment is **DENIED**. The Court finds that there is a genuine issue of material fact regarding, among other things, whether Plaintiff Michael Havins was fired due to his age and whether the reduction in force at issue was a pretext for age discrimination. *Burrell v. Dr. Pepper/Seven Up Bottling Group, Inc.*, 482 F.3d 408, 415 (5th Cir. 2007).

SIGNED at Houston, Texas, this 18th day of March, 2021.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE